

# KIRKPATRICK & LOCKHART LLP

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March 23, 1998

Mr. Fernando Gonzalez  
c/o Ms. Monica Kesling  
Mail Stop 525  
Micron Technology, Inc.  
8000 S. Federal Way  
P. O. Box 6  
Boise, Idaho 83707-0006

**Dis. Title:** A NOVEL RAISED SOURCE DRAIN STRUCTURE UTILIZING A POCKET JUNCTION  
**Inventor(s):** Fernando Gonzalez and Chandra Mouli  
**Micron No.:** 97-1379, **Our File:** 98095

Dear Fernando:

We wish to inform you that the above-identified disclosure was assigned by the Micron legal department to us for the purpose of preparing a patent application. We will be contacting you shortly to discuss the disclosure. In the meantime, we take this opportunity to advise you of the duty of disclosure under PTO regulations. We ask that you share this information with others who have been substantively involved in the preparation of the disclosure.

Rule 56 of the PTO's Rules of Practice, 37 C.F.R. § 1.56, places a duty on each individual associated with the filing and prosecution of a patent application to disclose to the PTO any information "material to the patentability" of each claim pending in the application. The duty to disclose exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. The duty to disclose applies to:

- (1) each inventor named in the application; and
- (2) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee, or with anyone to whom there is an obligation to assign the application.

PI-196167.01

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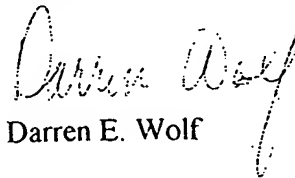
**The PTO must be told of anything within the knowledge of the foregoing persons that might stand in the way of obtaining a patent. Furthermore, the duty is ongoing and applies to material information which anyone in the relevant group becomes aware of during the time the application is pending before the PTO.**

To help you consider what information must be disclosed under Rule 56, we have prepared the following questions. Please carefully review these questions and be prepared to discuss them when we call to discuss the disclosure.

- (1) Are you aware of any previous work that in any way comes close to fitting within what is covered by this disclosure?
- (2) Could anybody say that the subject matter defined in the disclosure is either in commercial use or has been offered for sale?
- (3) Has anyone published anything concerning the work defined in the disclosure?
- (4) Could anyone say that this disclosure is supported with specially selected data while certain other data would contradict that support?
- (5) Does the disclosure still disclose the best mode contemplated for carrying out the invention?
- (6) Have all of those persons who made an inventive contribution to the disclosure been identified as inventors?

We shall be contacting you in due course to discuss preparing the patent application.

Sincerely,

  
Darren E. Wolf

DEW:gg  
cc: Mr. Chandra Mouli